

**KIRSCH &
NIEHAUS**

EMILY KIRSCH
150 E. 58TH STREET 22ND FLOOR
NEW YORK, NY 10155
O (212) 832-0170
M (917) 744-2888
EMILY.KIRSCH@KIRSCHNIEHAUS.COM
KIRSCHNIEHAUS.COM

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VIA ECF

The Honorable Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square, Room 430
New York, NY 10007

Re: In re Terrorist Attacks on September 11, 2001, 03-md-1570 (GBD) (SN)

Dear Judge Netburn:

This firm, together with Morvillo Abramowitz Grand Iason & Anello, represents Kreindler & Kreindler LLP in connection with the November 1-2, 2021 hearing related to the leak of the deposition transcript of Musaed al Jarrah (the “Hearing”). Today we have filed an Appendix of Exhibits comprised of the documents that were admitted into evidence in connection with the Hearing. The Appendix of Exhibits, together with the transcripts of the Hearing and other documents filed on this Court’s docket, comprise the comprehensive record on appeal for considering the Rule 72(a) objections to be filed today.

As Your Honor knows, the Hearing was conducted in open Court and further made available to the public via call-in telephone lines, with press, plaintiffs and other members of the public attending in person or by telephone. Accordingly, all documents that were admitted into evidence, displayed, and testified about are also necessarily now public. Because certain documents had not previously been publicly filed on the docket in their entirety and still bear a confidentiality legend, K&K has, in an abundance of caution, filed the Appendix of Exhibits provisionally under seal.

Kreindler & Kreindler respectfully requests that the Court endorse the approach taken previously for ensuring that all parties are comfortable with the public filing of documents. Specifically, we request that the Court direct that any objections to the Exhibits Appendix be made within one week, and absent any objections, the entirety of the Appendix of Exhibits be made public by **November 1, 2022**.

If any objections are made or redactions requested, we would request that the Court set a short schedule for resolving the objections prior to the December 8, 2022 oral argument scheduled for the Rule 72(a) objections.

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Respectfully Submitted,

/s/ *Emily Kirsch*
Emily Bab Kirsch

cc: Hon. George B. Daniels, U.S.D.J. (via ECF)
All MDL Counsel of Record (via ECF)